

THE 12TH ASSEMBLY DISTRICT REPORT



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CALIFORNIA ENDS SALES OF ULTRA VIOLENT VIDEO GAMES TO KIDS



GOVERNOR SIGNS YEE'S BILL TO PROTECT CHILDREN FROM HARMFUL VIOLENT VIDEO GAMES

Governor Arnold Schwarzenegger signed legislation authored by Speaker pro Tem Leland Yee to prohibit the sale of extremely violent video games to children, making the nation's most populous state and home to the \$31 billion video game industry, the latest to pass such a bill.

"By signing this commonsense bill into law, the Governor

continued on page 2

YEE RECEIVES TOP SCORE ON CALIFORNIA SENIORS REPORT CARD

CONGRESS OF CALIFORNIA SENIORS GIVES YEE 100% RATING

Speaker pro Tem Yee received a 100% rating on the Congress of California Seniors (CCS) annual "Legislative Report Card." As a coalition of tenant associations, union retirees, church-related organizations and senior advocacy groups with more than 500,000 members statewide, the CCS rates all state legislators on their voting records related to key senior issues.

"We can all say that we support the seniors in our community, but it is our votes on vital issues such as housing, healthcare and prescription drugs that really improve the lives of our seniors," said Yee. "I am proud to receive a score of 100% from the Congress of California Seniors. We must continue to advocate for those who have contributed so heavily to our state. The number of seniors is growing each day in California, and these important individuals deserve legislative leadership that is not only going to appreciate their presence, but understand their needs."

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YEE AWARDED MENTAL HEALTH LEGISLATIVE ADVOCATE OF THE YEAR

YEE HONORED FOR COMMITMENT TO CHILDREN

For his commitment to improving children's mental health, Speaker pro Tem Yee has been awarded the "Rose Jenkins Legislative Advocate of the Year" by the California Mental Health Directors Association (CMHDA).

"Since his election to the State Assembly in 2002, Assemblyman Yee has consistently shown his dedication to advocating for policies – through legislation and other methods – that aim to improve children's mental health," said Patricia Ryan, CMHDA's Executive Director. "We believe his dedication to making children's lives better is deserving of this year's Rose Jenkins Legislative Advocate award."

"Finding new ways to provide quality mental health services for all Californians, especially children, has been my main priority in the Legislature," said Speaker pro Tem Yee. "I look forward to continuing such efforts in 2006."

In 2004, Assemblyman Yee was also chosen "Legislator of the Year" by the California Psychiatric Association for his legislative efforts on behalf of children's mental health.

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INSIDE THIS ISSUE...

- | | |
|---|--|
| 2 | Yee's foster care bill becomes law
CNN poll shows public support for Yee's video game bill |
| 3 | Yee successfully passes 22 bills, 12 chaptered into law
Governor vetoes Yee's bill to protect nail salon consumers
Visitation Valley Halloween safety fair |
| 4 | In the news: Governor signs bills aimed at teen behavior |
| 6 | In the news: Protecting kids from ultraviolent video games |

continued from page 1

joined our medical professionals and our parents in putting our children's best interests first," said Yee. "Although the Governor and I don't always agree, we are both fathers and understand the importance of raising healthy kids. California parents will now have a vital tool in helping them raise their children."

"Today I signed legislation to ensure parent involvement in determining which video games are appropriate for their children," said Schwarzenegger. "The bill I signed will require that violent video games be clearly labeled and not be sold to children under 18 years old. Many of these games are made for adults and choosing games that are appropriate for kids should be a decision made by their parents."

Specifically, Assembly Bill (AB) 1179 will end the sale and rental of violent video games that depict serious injury to human beings in a manner that is especially heinous, atrocious, or cruel, to persons who are under 18 years of age. Retailers who violate the act will be liable in an amount up to \$1,000.

"Unlike movies where you passively watch violence, in a video game, you are the active participant and making decisions on who to stab, maim, burn or kill," said Yee, who also a child psychologist. "As a result, these games serve as learning tools that have a dramatic impact on our children."

In addition to disagreeing with most medical experts on the harmful effects ultra-violent games have on kids, the video game industry has also claimed AB 1179 is unconstitutional. However, many 1st Amendment law experts have testified in support of Yee's bill saying the bill is narrowly tailored to pass constitutional challenges.

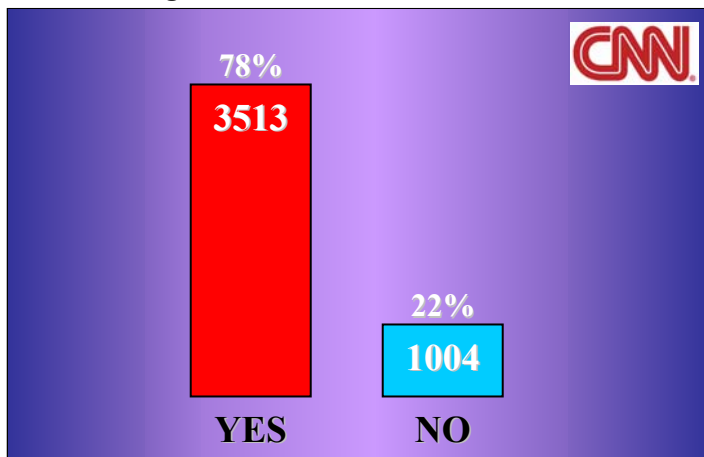
Yee's efforts have also received overwhelming support from Californians, including the California Academy of Pediatrics, Commission on the Status of Women, California Psychiatric Association, California Psychological Association, NAACP, California Alliance Against Domestic Violence, Girl Scouts, and the California PTA. Most recently, US Senator Hillary Rodham Clinton introduced nearly identical legislation at the federal level.

CLICK TO WATCH LELAND YEE'S PRESS CONFERENCE ON AB 1179

CNN POLL SHOWS PUBLIC SUPPORT FOR YEE'S BILL

Speaker pro Tem Yee recently debated his violent video game bill with Rob Bernstein of Sync Magazine on CNN's Showbiz Tonight. After the segment, CNN conducted a poll titled:

"Violent video games: Should states ban their sale to minors?"



YEE'S FOSTER CARE BILL BECOMES LAW

LIFE-SAVING LEGISLATION FOR FOSTER CARE CHILDREN WITH DIABETES SIGNED INTO LAW

In October, Governor Schwarzenegger signed legislation authored by Speaker pro Tem Yee to allow trained foster parents the right to properly care for their foster children who may need insulin for diabetic or other reasons.

"It is just commonsense to allow trained foster parents to give necessary, life-saving injections to their foster children," said Yee. "Many foster children need these insulin shots to survive and good foster parents should not have to bring their child to a hospital or risk losing their child each and every time insulin injections are needed."

Specifically, AB 1116 allows foster parents to be trained by their foster child's pediatrician to give their foster child any needed diabetic injections. The bill also allows foster parents to give their foster child any needed injection to avoid anaphylactic shock.

There have been numerous instances in California where the health of foster children has been at risk because of the interpretation of health and safety codes which vary county to county. In one instance, a child who had been with her foster parents for two years was removed at the age of 3 because her parents provided her with the necessary insulin injection. The child was placed in a hospital for three months while the county waited for a "suitable" medically approved group home.

"No child should have to face this type of horrific trauma by being removed from the only family he or she knows," said Yee. "AB 1116 will help protect these children and allow foster parents to raise their foster children as they deserve."

Another example involved a 9 year old child who was given a shot as he was going into an anaphylactic seizure. The foster mother administered the shot but was later told she should have called an ambulance. The child's doctor, however, indicated that the time wasted waiting for an ambulance would have killed the child. This particular child was taken from the foster parents and placed in a group home.

"Aside from the psychological damage on the child caused by these occurrences, there is significant cost to house such children in hospitals while waiting for placement," said Yee. "In addition, the placement of a child in a group home is four times as costly to the state as it is to house the child with foster parents."

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NEW:

Watch video clips on important legislation

22 YEE-AUTHORED BILLS PASS LEGISLATURE, 12 CHAPTERED INTO LAW

For more details, click on each piece of legislation

Legislation	Title	Location
AB 297	State Employees: requirement to file charges	Chapter 217
AB 443	School food sales	<i>Governor Vetoed</i>
AB 444	School food: nutrition guidelines	<i>Governor Vetoed</i>
AB 451	Local sales tax: jet fuel: place of sale	Chapter 391
AB 452	Vehicles: fines	<i>Governor Vetoed</i>
AB 467	Mental Health: hospital contracts	<i>Governor Vetoed</i>
AB 592	Physicians and surgeons: Lyme Disease	Chapter 304
AB 800	Medical Records: Patient's spoken language	Chapter 313
AB 866	Code of Fair Political Practices	<i>Governor Vetoed</i>
AB 1113	Acupuncture: Diagnosis	<i>Governor Vetoed</i>
AB 1114	Acupuncture: Continuing education	Chapter 648
AB 1115	Acupuncture: Assistant	<i>Governor Vetoed</i>
AB 1116	Foster Care injectables	Chapter 637
AB 1117	Acupuncture: Use of term oriental	Chapter 649
AB 1179	Violent video games: sales to minors	Chapter 638
AB 1208	Vehicle registration fee	<i>Governor Vetoed</i>
AB 1263	Barbering and cosmetology: Nail Salons	<i>Governor Vetoed</i>
AB 1309	Medical Quality Improvement fee	Chapter 516
AB 1737	Worker's Compensation: Medical recoveries	<i>Governor Vetoed</i>
Resolutions	Title	Location
AJR 14	Offshore drilling leases: moratorium	Chapter 94
ACR 54	Mental Health Occupations Week	Chapter 44
ACR 76	Microenterprise Development Month	Chapter 134

GOVERNOR VETOES BILL TO PROTECT NAIL SALON CONSUMERS

*YEE'S LEGISLATION CALLED FOR ESTABLISHING SAFETY
STANDARDS AFTER RECENT INFECTION OUTBREAKS*

Nationwide there has been a dramatic rise in the number of people complaining of persistent lesions and infections after visiting nail salons. California has been especially hard hit by the outbreak, with hundreds of women reporting cases of a rare bacterial infection linked to pedicures and manicures.

Despite overwhelming bipartisan support in both houses of the State Legislature (74-3 in the Assembly, 24-12 in the Senate), Governor Schwarzenegger (R-Los Angeles) vetoed a bill that would have established minimum safety standards for pedicure manicure equipment and ensure that such businesses have procedures for the proper, safe, and sanitary operation of spa equipment.

"It is very disappointing that the Governor vetoed legislation to significantly cut down on the number of infections and a law that could give consumers a reasonable sense of protection," said Speaker pro Tem Yee, the bill's author. "For the health and safety of all nail salon consumers, we need to do something to end these outbreaks."

AB 1263 also called for the State Board of Barbering and Cosmetology to conspicuously display a notice warning consumers if a particular business had received a violation.

The Governor's veto message stated: "While some provisions in this bill are duplicative of existing regulations, it also contains provisions that could significantly harm innocent businesses. The bill could shift responsibility for ensuring the safety of equipment from manufactures to the Board of Barbering and Cosmetology, which may have the unintended consequence of placing the Board in the position of assuming liability, in lieu of the manufacturer, for pedicure equipment."

"Most salons are doing the right thing and those particular salons supported this legislation, as well as the Board of Barbering and Cosmetology," said Yee. "The only businesses that would be detrimentally effected are those that should not exist anyhow, businesses that are not properly cleaning their equipment or using the proper disinfectants."

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HALLOWEEN SAFETY FAIR

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**Saturday, October 29, 2005  
Noon – 2:00 P.M.**

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***Hans Schillers Park
Leland Avenue and Peabody Street
Visitation Valley, San Francisco***

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**Receive information on Halloween Safety  
while children "trick or treat" the merchants  
on Leland Avenue as part of the Neighborhood  
Revitalization Effort**





October 8, 2005

## San Francisco Chronicle

NORTHERN CALIFORNIA'S LARGEST NEWSPAPER

Saturday

# GOVERNOR SIGNS BILLS AIMED AT TEEN BEHAVIOR

### *VIDEO GAMES: Sale, rental of ultraviolent titles banned for minors*

Lynda Gledhill, Chronicle Sacramento Bureau

**Sacramento** -- Gov. Arnold Schwarzenegger, battling sagging poll numbers and accusations of potential conflicts of interest, signed two bills Friday regulating industries that have helped build his personal fortune.

Schwarzenegger portrayed himself as a protector of children while signing a bill that bans the sale or rental of extremely violent video games to children and another that bans the use of dietary supplements by high school athletes.

After Schwarzenegger vetoed similar bills last year, opponents said he was influenced by his movie persona and his lucrative connections to the bodybuilding industry.

Gov. Arnold Schwarzenegger signed a bill Friday that will ban the sale or rental of especially violent video games to children, setting up a legal showdown with the \$25 billion industry.

The game industry, which said it would sue to strike down the law, opposed the bill, along with the California Chamber of Commerce and other business groups with close ties to the governor.

AB1179 by Assemblyman Leland Yee, D-San Francisco, bans the sale or rental of especially violent video games to children



under 18 years old unless there is parental approval. It takes effect Jan. 1.

Schwarzenegger said it was important to protect children and allow parents to control what their children see and play with.

"This bill gets the parents involved in the decision-making process," the governor said. "I am a parent myself, and I think it is extremely important that we know what our kids are watching or what kinds of games they play."

Schwarzenegger is featured in video games based on his "Terminator" movies, which has raised questions about his willingness to regulate the industry. It's not clear whether the "Terminator" games will be considered ultraviolent under the legislation.

The governor said at a bill-signing ceremony that as an actor he always believed in the movie-ratings system, which lets parents know the content of movies.

"I'm a big believer in video games," he said. "I think they are terrific -- a lot of them are manufactured in California, and we think they are doing a great job. We just want to make sure they don't get in the wrong hands so that someone the age of 10 aren't playing those things because it

does have an impact on children."

Ultraviolent is defined in the law as a game that depicts serious injury to human beings in a manner that is especially heinous, atrocious or cruel. The video games most often show violence in the first-person, meaning the person playing the game is committing the action.

"Unlike movies, where you passively watch violence, in a video game you are the active participant and making decisions on who to stab, maim, burn or kill," said Yee, who is also a child psychologist. "As a result, these games serve as learning tools that have a dramatic impact on our children."

Douglas Lowenstein, president of the Entertainment Software Association, said in a statement that politicians in California put politics over the First Amendment.

*continued on page 5*

"AB1179 is punitive against retailers, will waste limited taxpayer dollars, and when it is struck down by the courts, as has been the fate of similar statutes, parents will be no better off for this effort to damage one of the state's fastest-growing and most exciting industries that is providing some of the most compelling entertainment in the world today," Lowenstein said.

The law will assess a fine on retailers who violate the act by selling a marked game to a minor in an amount up to \$1,000 for each violation. It will be up to the manufacturer and distributor of the games to make sure that they are designated for adult sale only.

Stores would not be fined if the manufacturer failed to properly label the game.

There is no state enforcement of the law. Any suspected violation may be reported to a city or county attorney or district attorney by an adult acting on behalf of a minor who is allowed to buy or rent a violent game. The local officials can then prosecute the violation.

In San Francisco, video game players browsing the latest offerings in stores said they doubted the new law would make much difference.

"You could just order the game online, or ask a grown-up to buy it for you," said Thao To, 13, checking out the latest games at CompUSA on Market Street. "Most kids watch movies that are a lot worse, anyway."

At several stores in San Francisco, the issue of selling M-rated games to minors appeared to be so touchy that store managers declined to answer questions and ordered a reporter to leave.

The video game industry has sued to stop other measures restricting video game sales from being enforced. Several laws have been tossed out of court on First Amendment grounds. Michigan and Illinois recently passed similar laws, and the industry has already sued in Michigan.

The bill's backers say it was carefully crafted to stand up in court. Jim Steyer, head of Common Sense Media, which sponsored the bill, said constitutional law professors had helped work on the bill to avoid First Amendment conflicts.

"There is a compelling state interest, in terms of public health, and the bill is narrowly tailored," he said. "This isn't just any violent video game. It's limited."



AP / Max Whittaker

Yee introduced a similar bill last year, but it did not make it through the Legislature. This year, however, he received bipartisan support in the Assembly, with the bill passing on a 66-to-7 vote.

He said an increase in grassroots support for the bill, buoyed by a scandal over sexual content in a popular game this summer, had helped change a lot of minds.

In July it was discovered that an Internet download could unlock graphic sexual content in the "Grand Theft Auto: San Andreas" game. The video game industry then changed the rating of the game from M for mature to Adults Only.

"I think last year the industry said, 'Trust us, we're going to do the right thing,'" Yee said. "But it became pretty apparent that, in fact, the industry was not honest."

### Highlights of law

The governor signed into law AB1179 by Assemblyman Leland Yee, D-San Francisco. The new law will:

Ban the sale or rental of ultraviolent video games to anyone under the age of 18 starting Jan. 1. Ultraviolent is defined as depicting serious injury to human beings in a manner that is especially heinous, atrocious or cruel.

Require manufacturers to label a game if it is ultraviolent.

Fine stores \$1,000 per incident if they are found to be selling marked games to a minor.

Allow adults to notify local law enforcement if they believe a store is in violation.

**40**  
Percentage of those who play mature-rated games who are under 18 years old, according to the Federal Trade Commission.

**73**  
Percentage of unaccompanied children ages 13-16 who were able to buy mature-rated games from stores that try to restrict sales, according to the FTC.

**92**  
Percentage of children between the ages of 2 and 17 who have played video or computer games, according to the National Institute on Media and Family.

**5,400**  
Incidents of aggression viewed per month by people playing mature-rated games at least 40 minutes a day, according to the Journal of Broadcasting and Electronic Media.

*Chronicle staff writer Steve Rubenstein contributed to this story.*





October 11, 2005



Tuesday

## EDITORIAL:

### Protecting kids from ultraviolent video games

Gov. Arnold Schwarzenegger on Friday signed a law that bans the sale of extremely violent video games to youths under 18. The bill previously had passed by wide margins in both houses of the state Legislature.

Assembly bill 1179 sets sensible limits on sale and rental of violent video games that realistically depict serious harm to human beings in a manner that is especially heinous, atrocious or cruel. Retailers selling such games to kids under 18 would be liable to a \$1,000 fine for each violation.

It was a hard-fought victory for the author of AB 1179, Assembly Speaker Pro Tem Leland Yee, D-San Francisco/Daly City, who faced daily resistance from lobbyists representing the \$31 billion video game industry.

Yee's bill does not prevent game makers from continuing to develop and market mature-rated video titles, the fastest-growing segment of an industry that is more profitable than movies. But now such games must be sold only to adults. As of Jan. 1,

manufacturers must place a large "18" label on every violent M-rated package and will be subject to a \$1,000 fine for each violation.

*The bottom line is that AB 1179 protects children while preserving the choices available to manufacturers and adult consumers.*

Unlike movies in which the observer passively watches violence, Yee points out, in a video game the player is an active participant and makes decisions on whom to stab, maim, burn or kill. Best-selling games such as "Grand Theft Auto" and "25 to Life" offer exactly such opportunities for simulated violence.

And those opportunities are not hard to come by. According to Federal Trade Commission statistics, 92 percent of children play video games and nearly 70 percent of 13- to 16-year-olds are able to buy M-rated games.

An earlier bill by Yee did not get out of committee in 2004. This year, the issue of violent video games had greater national recognition and Schwarzenegger was urged to sign AB 1179 by

U.S. Sens. Joe Lieberman and Charles Schumer, Illinois Gov. Rod Blagojevich and a lineup of top state officials. U.S. Sen. Hillary Clinton has now introduced a federal bill modeled on AB 1179.

Interestingly, Yee and his staff give special credit for the success of the bill to the California Girl Scouts. They encouraged his second attempt, sent at least six delegations of scouts and their parents to meet with legislators, and participated in numerous press conferences throughout the state.

The bottom line is that AB 1179 protects children while preserving the choices available to manufacturers and adult consumers. It does not stop game makers from developing or selling extremely violent games, and does not prohibit adults from buying them. If it makes sense to use a ratings system to keep kids out of unsuitable movies, then it also makes sense to ban kids from buying video games in which they can simulate killing police officers or running over pedestrians.

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